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EXAMINER	
CARDENAS NAVIA, JAIME F	
ART UNIT	PAPER NUMBER
4182	
MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/726,127	PATEL, PARITOSH D.	
	Examiner	Art Unit	
	Jaime F. Cardenas-Navia	4182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 December 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *02 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *July 22, 2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Introduction

1. This **NON-FINAL** office action is in response to applicant's submission filed on December 2, 2003. Currently, claims 1-29 are pending.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on July 22, 2004 has been considered by the examiner.

Claim Objections

3. **Claims 6 and 13 are objected to** because of the following informalities:

Regarding claim 6, the semicolon at the end of the sentence should be changed to a period.

Regarding claim 13, when describing the travel time calculator, "an original location" should be changed to "an originating location" to be consistent with claim and specification terminology.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-5, 13, 17-21, and 29 are rejected** under 35 U.S.C. 102(e) as being anticipated by Peskin et al. (US 2003/0046304 A1).

Regarding claim 1, Peskin teaches a method for scheduling meetings within a scheduling application comprising the steps of:

identifying a meeting location and a meeting time for a meeting (par. 41);

determining an origination location for at least one meeting participant (par. 41);

automatically computing a travel time for said participant based at least in part upon said meeting location and said origination location (par. 96); and

presenting a time based at least in part upon said computed travel time when meeting information for said meeting is displayed within said scheduling application (par. 92).

Regarding claim 2, Peskin teaches offering at least one mode of communication for participating in said meeting in a timely fashion, wherein said offering step is based at least in part upon said travel time and meeting time (par. 92, being physically present and speaking is one mode of communication for participating in said meeting).

Regarding claim 3, Peskin teaches wherein said presented time is a suggested departure time (par. 92), said method further comprising the step of:

automatically conveying a meeting reminder to said participant at some time before said suggested departure time (par. 92).

Regarding claim 4, Peskin teaches the steps of:

receiving an information message pertaining to a travel condition (par. 9); and

dynamically adjusting said travel time based upon said travel condition (par. 9).

Regarding claim 5, Peskin teaches before said meeting time, determining based upon said travel time that said participant will be unable to arrive at said meeting on-time time without some adjustment being made (par. 98).

Regarding claim 13, Peskin teaches a system for managing meetings comprising:

a scheduling application configured to manage a plurality of meeting events, each of said meeting events comprising a meeting location, and a plurality of meeting participants and originating locations, each meeting participant associated with a particular one of said originating locations (Fig. 2-4, par. 12); and

a travel time calculator configured to calculate a travel time between an originating location and a meeting location based at least in part upon a starting location and an ending location, wherein said travel time is calculated for one of said meeting participants using said associated originating location as said starting location and said meeting location as said ending location (par. 12, 92).

Regarding claims 17-21, they are rejected using the same art and rationale used above for rejecting claims 1-5. This is because claims 17-21 claim a machine-readable storage for performing the method of claims 1-5.

Regarding claim 29, Peskin teaches a system for scheduling a meeting within a scheduling application comprising:

a meeting location (par. 12);

a meeting time (par. 12);

an origination location for at least one participant of said meeting (par. 12);

means for automatically computing a travel time for said participant based at least in part upon said meeting location and said origination location (par. 12, 92); and

means for presenting a time based at least in part upon said travel time when meeting information for said meeting is displayed within said scheduling application (par. 12, 92).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. **Claims 6-8 and 22-24 are rejected** under 35 U.S.C. 103(a) as being unpatentable over Peskin et al. (US 2003/0046304 A1), as applied to claims 1-5, 13, and 17-21, further in view of Perrella et al. (US 7,139,722 B2).

Regarding claim 6, Peskin does not teach responsively adjusting at least one aspect of said meeting so that said meeting participant can attend said meeting in a timely fashion.

Perrella teaches responsively adjusting at least one aspect of said meeting so that said meeting participant can attend said meeting in a timely fashion (col. 2, lines 15-19, col. 5, lines 46-47, col. 6, lines 24-29).

The inventions of Peskin and Perrella pertain to scheduling appointments while considering travel time. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Perrella does not teach away from or contradict Peskin, but rather, teaches a function that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the advantage of rescheduling an appointment as soon as it is known that at least one participant will not be able to attend the appointment on time.

Regarding claims 7, Peskin does not teach at least one of the following:

changing said meeting time to a later time;

changing said meeting location to reduce an associated travel time for said participant; and

changing a meeting participation methodology for said participant from physical meeting attendance to a virtual meeting attendance.

Perrella teaches at least one of the following:

changing said meeting time to a later time (col. 2, lines 15-19, col. 5, lines 46-47, col. 6, lines 24-29);

changing said meeting location to reduce an associated travel time for said participant; and

changing a meeting participation methodology for said participant from physical meeting attendance to a virtual meeting attendance.

The inventions of Peskin and Perrella pertain to scheduling appointments while considering travel time. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Perrella does not teach away from or contradict Peskin, but rather, teaches a function that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the advantage of rescheduling an appointment as soon as it is known that at least one participant will not be able to attend the appointment on time.

Regarding claim 8, Peskin does not teach responsively conveying an electronic document to each meeting participant, wherein said electronic document specifies at least one of a meeting adjustment notification and a predicted absence notification.

Perrella teaches responsively conveying an electronic document to each meeting participant, wherein said electronic document specifies at least one of a meeting adjustment notification (col. 2, lines 15-19, col. 5, lines 46-47, col. 6, lines 24-29) and a predicted absence notification.

The inventions of Peskin and Perrella pertain to scheduling appointments while considering travel time. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Perrella does not teach away from or contradict Peskin, but rather, teaches a function that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the advantage of rescheduling an appointment as soon as it is known that at least one participant will not be able to attend the appointment on time.

Regarding claims 22-24, they are rejected using the same art and rationale used above for rejecting claims 6-8. This is because claims 22-24 claim a machine readable storage for performing the method of claims 6-8.

8. **Claim 9 is rejected** under 35 U.S.C. 103(a) as being unpatentable over Peskin et al. (US 2003/0046304 A1), as applied to claims 1-5, 13, and 17-21, further in view of Matheson et al. (US 2004/0111309 A1).

Peskin does not teach:

identifying a second meeting that is dependent upon said first meeting; and

automatically adjusting a parameter of said second meeting responsive to said first meeting exceeding a previously established meeting end time.

Matheson teaches:

identifying a second meeting that is dependent upon said first meeting (par. 51); and

automatically adjusting a parameter of said second meeting responsive to said first meeting exceeding a previously established meeting end time (par. 52).

The inventions of Peskin and Matheson pertain to scheduling while taking into account traveling time. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Peskin does not teach away from or contradict Matheson, but rather, teaches a function that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the advantage of fewer and less severe scheduling contacts by automatically adjusting the schedule of dependent meetings as soon as it is known that the meeting the dependent meetings are dependent on is running late.

Regarding claim 25, it is rejected using the same art and rationale used above for rejecting claim 9. This is because claim 25 claim a machine readable storage for performing the method of claim 9.

9. **Claims 10-12, 14-15, and 26-28 are rejected** under 35 U.S.C. 103(a) as being unpatentable over Peskin et al. (US 2003/0046304 A1), as applied to claims 1-5, 13, and 17-21, further in view of Klein (US 2004/0220768 A1).

Regarding claim 10, Peskin teaches said computing step further comprising the step of:

constructing a location matrix comprising a plurality of location nodes (Figure 3, x-y coordinates are location nodes).

Peskin does not explicitly teach:

connecting pairs of location nodes to each other; and

assigning a link weight to each of said connections between said location nodes, wherein said location matrix is used to calculate said travel time.

Klein teaches:

connecting pairs of location nodes to each other (Figure 3); and

assigning a link weight to each of said connections between said location nodes (par. 27, link weights, which are the distance between nodes, are assigned to the connections between nodes and used along with movement parameters to calculate travel time), wherein said location matrix is used to calculate said travel time (par. 27).

The inventions of Peskin and Klein pertain to scheduling appointments while considering travel time. All the claimed elements were known in the prior art and one skilled in the art could

have combined the elements as claimed by known methods with no change in their respective functions, as Klein does not teach away from or contradict Peskin, but rather, teaches a function that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the advantage in flexibility and accuracy of calculating the travel time by plotting the travel pathway as a series of links between nodes.

Regarding claim 11, Peskin teaches:

identifying a location node corresponding to said meeting location (par. 12, Fig. 3-4);

identifying a location node corresponding to said originating location (par. 12).

Peskin does not teach:

plotting a travel pathway between said location nodes, said travel pathway comprising at least one link weight; and

calculating said travel time based at least in part upon said at least one link weight of said travel pathway.

Klein teaches:

plotting a travel pathway between said location nodes, said travel pathway comprising at least one link weight (Figure 3, par. 27); and

calculating said travel time based at least in part upon said at least one link weight of said travel pathway (par. 27).

The inventions of Peskin and Klein pertain to scheduling appointments while considering travel time. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective

functions, as Klein does not teach away from or contradict Peskin, but rather, teaches a function that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the advantage in flexibility and accuracy of calculating the travel time by plotting the travel pathway as a series of links between nodes.

Regarding claim 12, Peskin does not teach:

modifying at least one link weight based on a situation dependent circumstance; and

calculating said travel time based at least in part upon said modified link weight.

Klein teaches:

modifying at least one link weight based on a situation dependent circumstance (par. 27); and

calculating said travel time based at least in part upon said modified link weight (par. 27).

The inventions of Peskin and Klein pertain to scheduling appointments while considering travel time. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Klein does not teach away from or contradict Peskin, but rather, teaches a function that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the teaching of Peskin of augmenting appointments in real-time based on situation dependent circumstances.

Regarding claim 14, Peskin does not teach:

a location matrix comprising a plurality of location nodes, wherein connections

between selected ones of said location nodes are assigned link weights, wherein said travel time calculator uses said location matrix to calculate said travel time.

Klein teaches:

a location matrix comprising a plurality of location nodes, wherein connections between selected ones of said location nodes are assigned link weights, wherein said travel time calculator uses said location matrix to calculate said travel time (Fig. 3, par. 27).

The inventions of Peskin and Klein pertain to scheduling appointments while considering travel time. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Klein does not teach away from or contradict Peskin, but rather, teaches a function that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the advantage in flexibility and accuracy of calculating the travel time by plotting the travel pathway as a series of links between nodes.

Regarding claim 15, Peskin teaches wherein said travel calculator is further configured to receive travel condition input, wherein said travel time calculation is based at least in part upon said travel condition input (par. 42).

Regarding claims 26-28, they are rejected using the same art and rationale used above for rejecting claims 10-12. This is because claims 26-28 claim a machine-readable storage for performing the method of claims 10-12.

10. **Claim 16 is rejected** under 35 U.S.C. 103(a) as being unpatentable over Peskin et al. (US 2003/0046304 A1), as applied to claim 13, further in view of Jacobs et al. (US 2001/0037229 A1).

Regarding claim 16, Peskin does not teach wherein said scheduling application is further configured to determine a suggested meeting time for said meeting events based upon travel times of meeting participants associated with said meeting events.

Jacobs teaches wherein said scheduling application is further configured to determine a suggested meeting time for said meeting events based upon travel times of meeting participants associated with said meeting events (Fig. 3C, 3E, par. 85).

The inventions of Peskin and Jacobs pertain to scheduling appointments while considering travel time. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Jacobs does not teach away from or contradict Peskin, but rather, teaches a function that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the advantage of preventing the scheduling of an appointment that a participant cannot attend because they cannot make it there in time.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Doss et al. (US 2004/0093290 A1) teaches scheduling while considering travel time, multiple modes of communication, and adjusting travel time and meetings in real-time.

Andrews et al. (US 6,678,613 B2) teaches scheduling while considering travel time and projecting a start time for meetings.

Bansal et al. (US 6,898,569 B1) teaches scheduling while considering travel time, notifications of lateness, and flagging a second, dependent meeting as unlikely to be attended on time.

Robinson et al. (US 2005/0060365 A1) teaches scheduling while considering travel time, and modifying the schedule when an appointment cannot be attended.

Baur et al. (US 2002/0030698 A1) teaches scheduling while considering travel time.

Katz (US 5,495,284) teaches tele-conferencing and other alternative modes of communication for meeting attendance.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jaime F. Cardenas-Navia whose telephone number is (571)270-1525. The examiner can normally be reached on Mon-Thur, 9:30AM - 8:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thu Nguyen can be reached on (571) 272-6967. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

February 25, 2008

/Jaime F Cardenas-Navia/
Examiner, Art Unit 4182

/Thu Nguyen/
Supervisory Patent Examiner, Art Unit 4182